

VERSION WITH MARKINGS TO SHOW CHANGES MADE:

In the Claims (bracketed parts deleted and underline parts added):

1. (Amended) A stud marking device comprising:

a handle including a tubular base member having a pair of prong-like members spaced apart and integrally extending from a bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including said tubular base member; and

a means for marking stud locations including a wheel rotatably mounted to said base member and being extended between said prong-like members, said wheel having a perimeter for rolling on a ground surface, said means including a marker device mounted on said wheel and having a marking end positioned at the circumference of said wheel such that said marking end contacts the ground surface as said wheel is rolled on the ground surface and said marking end marks the ground surface with marks spaced at a distance substantially equal to an extent of the circumference of said wheel.

2. (Pending) A stud marking device as described in claim 1, wherein said telescopic members includes a first tubular member having a plurality of holes spaced therealong and extending through a wall thereof, said first tubular member being slidably and lockingly extended in said base member, and further includes a second tubular member also having a plurality of holes spaced therealong and extending through a wall thereof, said second tubular member being slidably and lockingly extended in said first tubular member, and also includes a third elongate member having a hand-hold member securely disposed at an end thereof, said third elongate member being slidably and lockingly extended in said second

tubular member.

3. (Amended) A stud marking device as described in claim [2] 1, wherein said base member further includes a pair of slots each of which extends in a bottom end of a respective one of said prong-like members.

4. (Amended) A stud marking device as described in claim [3] 1, wherein said means for marking stud locations further includes an axle member securely and centrally attached to either side of said wheel and being adapted to being [removeably] removably retained in said slots in said base member.

5. (Amended) A stud marking device as described in claim [4] 1, wherein said wheel includes a bore radially extending [in a] inwardly from the circumference [thereof] of said wheel and removably receiving said marking device.

6. (Amended) A stud marking device as described in claim 5, wherein said wheel is removably mounted on said base member, and wherein said means for marking stud locations [also] includes a [marker threaded in said bore and having a marking end which extends slightly outwardly beyond the circumference of said wheel] plurality of wheels, each said wheel of said plurality of wheels having a circumference with a circumference extent with a measurement different from other wheels of said plurality of wheels such that distances between markings produced by each wheel of said plurality of wheels are different from wheel to wheel.

7. (Amended) A stud marking device [as described in claim 4] comprising:

a handle including a tubular base member having a pair of prong-like members spaced apart and integrally extending from a

bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including said tubular base member; and

a means for marking stud locations including a wheel rotatably mounted to said base member and being extended between said prong-like members;

wherein said base member includes an extended portion extending outwardly [and angled] from one of said prong-like members and including a housing;

wherein a portion of said wheel extends past said housing in a manner such that said wheel supports said housing in a spaced relationship with respect to a ground surface when said wheel is rolled along the ground surface;

wherein said means for marking stud locations includes a keypad member mounted to said extended portion for selecting a desired location of a stud upon a surface, an LCD display disposed in said extended portion and readable by a user, a microcontroller including read only memory and being disposed within said extended portion and connected to said LCD display and to said keypad member, a spring-loaded marker which is biasedly-disposed in a bottom end of said extended portion for marking stud locations, and a plurality of marker-triggering members spacedly disposed upon one side of said wheel for triggering said microcontroller to release said spring-loaded marker to extend outwardly beyond the circumference of said wheel to mark the ground surface as said wheel is rolled along the ground surface.

Cancel claim 8.

9. (Amended) A stud marking device as described in claim [8] 7, wherein said marker-triggering members are essentially rib-like members extending radially of said wheel.

10. (Amended) A stud marking device as described in claim [9] 7, wherein said marker-triggering members are spaced approximately one inch apart as measured along the circumference of said wheel.

11. (Amended) A stud marking device as described in claim [10] 7, wherein said means for marking stud locations includes an LCD driver disposed [within] in said extended portion and connected to said microcontroller which further includes an IR transmitter and IR receiver.

12. (Amended) A stud marking device comprising:
a handle including a tubular base member having a pair of prong-like members spaced apart and integrally extending from a bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including said tubular base member, said telescopic members including a first tubular member having a plurality of holes spaced therealong and extending through a wall thereof, said first tubular member being slidably and lockingly extended in said base member, and further including a second tubular member also having a plurality of holes spaced therealong and extending through a wall thereof, said second tubular member being slidably and lockingly extended in said first tubular member, and also including a third elongate member having a hand-hold member securely disposed at an end thereof, said third elongate member being slidably and lockingly extended in said second tubular member, said base member further including a pair of slots each of which extends in a bottom end of a respective one of said prong-like members; and

a means for marking stud locations including a wheel rotatably mounted to said base member and being extended between said

prong-like members, said wheel having a perimeter for rolling on a ground surface, said means including a marker device mounted on said wheel and having a marking end positioned at the circumference of said wheel such that said marking end contacts the ground surface as said wheel is rolled on the ground surface and said marking end marks the ground surface with marks spaced at a distance substantially equal to an extent of the circumference of said wheel, said means for marking stud locations further including an axle member securely and centrally attached to either side of said wheel and being adapted to being [removeably] removably retained in said slots in said base member, wherein said wheel is removably mounted on said base member, and wherein said means for marking stud locations includes a plurality of wheels, each said wheel of said plurality of wheels having a circumference with a circumference extent with a measurement different from other wheels of said plurality of wheels such that distances between markings produced by each wheel of said plurality of wheels are different from wheel to wheel;

wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 16 inches such that marks made by said marking device are separated by approximately 16 inches;

wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 12 inches such that marks made by said marking device are separated by approximately 12 inches;

wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 24 inches such that marks made by said marking device are separated by approximately 24 inches;

wherein one wheel of said plurality of wheels has a

circumferential extent measuring approximately 18 inches such that marks made by said marking device are separated by approximately 18 inches; and

wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 6 inches such that marks made by said marking device are separated by approximately 6 inches.

Cancel claim 13.

14. (Amended) A stud marking device as described in claim [12] 7, wherein [said base member includes an extended portion extending outwardly and angled from one of said prong-like members and including a housing, said means for marking stud locations including a keypad member mounted to said extended portion for selecting a desired location of a stud upon a surface, an LCD display disposed in said extended portion and readable by a user, a microcontroller including read only memory and being disposed within said extended portion and connected to said LCD display and to said keypad member, a spring-loaded marker which is biasedly-disposed in a bottom end of said extended portion for marking stud locations, and a plurality of marker-triggering members spacedly disposed upon one side of said wheel for triggering said microcontroller which releases said spring-loaded marker which extends outwardly beyond the circumference of said wheel to mark a surface,] said marker-triggering members [being] are essentially rib-like members extending radially of said wheel and being spaced approximately one inch apart as measured along the circumference of said wheel, said means for marking stud locations including an LCD driver disposed within said extended portion and connected to said microcontroller which further includes an IR transmitter and IR receiver.

Please add the following claims:

15. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 16 inches such that marks made by said marking device are separated by approximately 16 inches.

16. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 12 inches such that marks made by said marking device are separated by approximately 12 inches.

17. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 24 inches such that marks made by said marking device are separated by approximately 24 inches.

18. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 18 inches such that marks made by said marking device are separated by approximately 18 inches.

19. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 6 inches such that marks made by said marking device are separated by approximately 6 inches.

20. (Added) A stud marking device as described in claim 6, wherein one wheel of said plurality of wheels has a circumferential extent measuring approximately 16 inches such that marks made by said marking device are separated by approximately 16 inches;
wherein one wheel of said plurality of wheels has a